

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	Criminal No. 15-0035 (RHK)
	)	
v.	)	REPORT AND
	)	RECOMMENDATION
	)	
CHERNO NJIE,	)	
	)	
Defendant	)	
and	)	
UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	Criminal No. 15-0028 (RHK)
	)	
v.	)	
	)	
PAPA FAAL,	)	
	)	
Defendant	)	

Counsel for Papa Faal and Cherno Njie seek modifications to the terms and conditions of their supervision. After meeting with representatives of the defendants, the United States Attorney's Office, and the United States Probation Office, the undersigned recommends that the requests be granted, as outlined below.

Relaxing certain of the supervision conditions is appropriate in light of post-sentence developments. The defendants were convicted of offenses that

included Conspiring to violate the Neutrality Act (codified at 18 U.S.C. § 960), in violation of 18 U.S.C. § 371, in connection with their efforts to bring about regime change in The Gambia. Elections in December 2016 and the implementation of the election results have accomplished that objective. These positive developments reduce the need for supervision to ensure compliance with § 960.

The Court also notes that the defendants in these cases have the strong support of the government of The Gambia, and is in receipt of official correspondence indicating this and seeking leniency on their behalf. The Court also notes that each of the defendants has no criminal history apart from this case and that each is in compliance with the conditions of his supervision. Finally, the Court notes that the United States Attorney's Office has no objection to the modifications to supervision recommended herein.

In light of these facts, and with the agreement of the parties, the undersigned recommends the following:

- 1) That Special Conditions (e) (computer access and supervision), (g) (financial supervision), (h) (material reflecting extremist views), and (j) (polygraph testing) be stricken;
- 2) That the supervised release terms be commuted, such that they will expire in six months, provided that there are no supervision violations in the interim.

Dated: May 31, 2017

*s/ Steven E. Rau*

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Hon Steven E. Rau  
United States Magistrate Judge  
District of Minnesota